



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

November 28, 2021

By ECF

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: United States v. Devon Archer, 16 Cr. 371 (RA)

Dear Judge Abrams:

The Government respectfully writes in response to defendant Devon Archer's November 27, 2021 letter requesting that instead of the deadlines set by the Court's individual rules – which would make the defendant's sentencing submission due on December 30, 2021 and the Government's submission due on January 6, 2022 – the parties instead file simultaneous sentencing submissions on January 6, 2022, with any replies to be filed on January 10, 2022. (Dkt. No. 983). The Government believes that the sequential filings required by the Court's individual rules exists for good reason; it is far more efficient for the parties and the Court for the Government to address any defense arguments in its single sentencing submission and for the Court to consider two, rather than four, sets of submissions. The Government is nonetheless willing to accommodate any travel or holiday scheduling conflicts by submitting its submission on an expedited basis. Accordingly, the Government respectfully requests that any defense submission be due by January 5, 2022, with the Government's submission due by January 10, 2022. This schedule will ensure that sentencing can take place on the parties' proposed date of January 13, 2022.¹

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s/ Rebecca Mermelstein

¹ In his letter the defendant also notes that the January 13 sentencing date is subject to receipt of a final updated PSR. The Government understands that the Probation Department sought updated financial information from the defendant several weeks ago, and is awaiting that information in order to finalize the updated report that the defendant requested.

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cc: Matthew Schwartz, Esq. (via ECF)